



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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August 12, 2019

via ECF

Magistrate Judge Vera M. Scanlon
United States Courthouse
225 Cadman Plaza, East
Brooklyn, New York 11201

Re: King v. Construction & General Building Laborers' Local 79
Case No. 1:19-CV-3496-NGG-VMS

Dear Magistrate Judge Vera M. Scanlon:

On July 29, 2109, Your Honor issued an Order scheduling an Initial Conference in the above captioned matter.

Counsel for the Petitioner writes this letter in response to that Order and respectfully requests that the Order be withdrawn and all future hearing dates be adjourned for the reasons set forth below.

The Petitioner in this case sought preliminary injunctive relief against Respondent pursuant to Section 29 U.S.C. 160(l) of the National Labor Relations Act ("the Act") after the Petitioner issued a Complaint against Respondent alleging violations of section 29 U.S.C. 158(b)(4)(i) and (ii) (B) of the Act. The underlying merits of that Complaint will be determined after a hearing by an Administrative Law Judge of National Labor Relations Board Administrative Law Judge and by the National Labor Relations Board.

The instant matter before the Eastern District Court sought only the preliminary injunction pending a final agency action by the National Labor Relations Board on the underlying merits of the claim.

On July 1, 2019, Judge Garaufis denied Petitioner's request for injunctive. Because Petitioner's request for the preliminary injunction was denied, there is no further action before the Court in this matter and there is no further matter before the Court necessitating further scheduling of any initial conference or discovery.

The above captioned case was related by the Clerk's Office to Case 1:19-cv-02929, but the Petitioner in this case, King, is not a party to that proceeding and Petitioner's instant request that

the Order be withdrawn and the instant matter closed has no bearing on and is not relevant to the ongoing processing of Case 1:19-cv-02929.

For these reasons, we respectfully request that the Order scheduling an Initial Conference be withdrawn and any future hearing dates in this matter be adjourned.

Respectfully Submitted,

/s/ Erin E. Schaefer
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